

ITEM 996-B

Y 1.1/7: 97-164

97th Congress, 2d Session

House Document No. 164

PROJECTS RECOMMENDED FOR DEAUTHORIZATION
SEVENTH ANNUAL REPORT

COMMUNICATION

FROM

THE ASSISTANT SECRETARY OF THE ARMY
(CIVIL WORKS)

TRANSMITTING

THE SEVENTH ANNUAL REPORT RECOMMENDING DEAUTHORIZATION
OF VARIOUS WATER RESOURCES PROJECTS, PURSUANT TO SECTION
12 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1974, AS
AMENDED



APRIL 5, 1982.—Referred to the Committee on Public Works and Transportation
and ordered to be printed.

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON: 1982

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LETTER OF TRANSMITTAL



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D.C. 20310

31 MAR 1982

Honorable Thomas P. O'Neill, Jr.
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I am transmitting a report of the Chief of Engineers dated 25 January 1982, entitled "Projects Recommended for Deauthorization--7th Annual Report," pursuant to Section 12, Public Law 93-251, as amended. I concur with the Chief of Engineers' recommendation that the 12 projects in this report should be deauthorized.

The Office of Management and Budget advises that there is no objection to the submission of the Chief of Engineers' report to the Congress. A copy of the letter from the Office of Management and Budget is enclosed as part of the report.

Enclosure

W. R. Gianelli
William R. Gianelli
Assistant Secretary of the Army
(Civil Works)

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vi

COMMENTS FROM THE EXECUTIVE OFFICE OF THE PRESIDENT



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

MAR 1 1977

Honorable William Gianelli
Assistant Secretary of the Army
for Civil Works
Room 2E570 - Pentagon
Washington, D.C. 20310

Dear Bill:

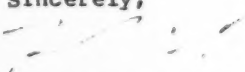
This is in reply to your recent letter to the Director submitting the Chief of Engineers 7th Annual Report on Projects Recommended for Deauthorization, in accordance with Executive Order 12322.

The Chief of Engineers' report recommends deauthorization of the following twelve projects in the States of New Jersey, New York and Pennsylvania:

Cheesequake Creek, NJ
Newark Bay, Hackensack and Passaic
Rivers, NJ
New Jersey-New York Channel, NJ/NY
Rahway River, NJ
Raritan River, NJ
Bronx River, NY
Coney Island, NY
Hudson River NYC to Albany, NY
Rome, Mohawk River, NY
Waterford, NY
Westchester Creek, NY
Erie Harbor, PA

There is no objection to the transmittal of this report to the Congress.

Sincerely,


Frederick N. Khedouri
Associate Director
for Natural Resources,
Energy and Science

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SECTION 12, PUBLIC LAW 93-251, AS AMENDED
(88 Statute 16)
WATER RESOURCES DEVELOPMENT ACT OF 1974

Project review,
List, submittal
to Congress

Sec. 12, (a) As soon as practicable after the date of enactment of this section and at least once each year thereafter, the Secretary of the Army, acting through the Chief of Engineers, shall review and submit to Congress a list of those authorized projects for works of improvement of rivers and harbors and other waterways for navigation, beach erosion, flood control, and other purposes which have been authorized for a period of at least eight years without any Congressional appropriations within the last eight years and which he determines, after appropriate review, should no longer be authorized. Each project so listed shall be accompanied by the recommendation of the Chief of Engineers together with his reasons for such recommendation. Prior to the submission of such list to the Congress, the Secretary of the Army, acting through the Chief of Engineers, shall obtain the views of interested Federal departments, agencies, and instrumentalities, and of the Governor of each State wherein such project would be located, which views shall be furnished within sixty days after being requested by the Secretary and which shall accompany the list submitted to Congress. Prior to the submission of such list to Congress the Secretary of the Army, acting through the Chief of Engineers, shall notify each Senator in whose state, and each member of the House of Representatives in whose district, a project (including any part thereof) on such list would be located.

(b) Such list shall be delivered to both Houses on the same day and to each House while it is in session. A project on such list shall not be authorized at the end of the first period of ninety calendar days of continuous session of Congress after the date such list is delivered to it unless between the date of delivery and the end of such ninety day period, either the Committee on Public Works of the House of Representatives or the Committee on Public Works of the Senate adopts a resolution stating that such project shall continue to be an authorized project. For the purposes of this section continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session,

because of an adjournment of more than three days to a day certain are excluded in the computation of the ninety day period. The provisions of this section shall not apply to any project contained in a list of projects submitted to the Congress within ninety days preceding the date of adjournment sine die of any session of Congress.

(c) Nothing in this section shall be construed so as to preclude the Secretary from withdrawing any project or projects from such list at any time prior to the final day of the period provided for in subsection (b).

(d) This section shall not be applicable to any project which has been included in a resolution adopted pursuant to subsection (b).

(e) The Secretary of the Army, acting through the Chief of Engineers, shall, on request by resolution of the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives, review authorized projects for inclusion in the list of projects provided for in subsection (a) of this section. If any project so reviewed is not included in any of the first three lists submitted to the Congress after the date of the resolution directing the review of the project, a report on the review together with the reasons for not recommending deauthorization, shall be submitted to the Committee on Public Works of the Senate and House of Representatives not later than the date of the third list scheduled to Congress after the date of such resolution.

Report, submittal
to Congressional
Committees.

**PROJECTS RECOMMENDED FOR DEAUTHORIZATION
7TH ANNUAL REPORT**

REPORT OF THE CHIEF OF ENGINEERS, DEPARTMENT OF THE ARMY



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20314

REPLY TO
ATTENTION OF:

DAEN-CWP-A

25 JAN 1962

SUBJECT: Projects Recommended for Deauthorization--7th Annual Report

THE SECRETARY OF THE ARMY

I am submitting my 7th Annual Deauthorization Report of projects recommended for deauthorization, pursuant to Section 12, Public Law 93-251, as amended. In this report, I recommend the deauthorization of 12 projects which have been authorized for at least eight years and for which no funds have been appropriated in the last eight years.

1 Incl
As stated


J. K. BRATTON
Lieutenant General, USA
Chief of Engineers

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a



**US Army Corps
of Engineers**

Office of the Chief
of Engineers

List of 12 Projects Recommended for Deauthorization under Section 12, Public Law 93-251, as Amended .

Part 1

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EXPLANATORY NOTES
TO THE LIST OF PROJECTS PROPOSED FOR DEAUTHORIZATION

1. Project Reference Number. A number used by the Corps of Engineers for internal bookkeeping.
2. Project Name. The name given a project when it was authorized by Congress.
3. Reason for Recommending Deauthorization. List contains a brief statement related to the criteria for recommending deauthorization published in the Federal Register (33 CFR 213); Project Information Sheets accompanying the list provide greater detail on the reasons for recommending deauthorization.
4. Deauthorization Code. A code used by the Chief of Engineers to explain the nature of the recommended deauthorization action:

Code A: The project recommended for deauthorization was last authorized by Congress prior to 31 December 1968, as indicated on the Project Information Sheet. The project has received no funds for Advance Engineering and Design (AE&D) or construction in the past 8 years. No portion of the project has been constructed since authorization. The recommended action would deauthorize the entire project, leaving no portion in an authorized but unconstructed status.

Code B: The project recommended for deauthorization was last authorized by Congress prior to 31 December 1968, as indicated on the Project Information Sheet. Portions of that project have been completed. Neither the completed nor the uncompleted portions of the project have received funding for AE&D or construction in the past 8 years. The recommended action would deauthorize all uncompleted portions of the project, leaving none in an authorized but unconstructed status. The deauthorization action would not affect Federal maintenance responsibilities for completed portions of the project if provided in the Authorization Act, or otherwise authorized by Congress.

Code C: The project recommended for deauthorization was last authorized by Congress prior to 31 December 1968, as an element of a project. This element has been administratively identified as a separate project by the Corps of Engineers and may be suitable for deauthorization under Section 12, Public Law 93-251, or other subsequent, specific Congressional action as a modification to the original project authorization. No other element of the project authorization, of which this element was a part, has received funding in the last 8 years. The recommended action will leave other elements of the project authorization in an authorized but unconstructed status. The recommended action would not affect Federal maintenance responsibilities for completed portions of the project if provided in the Authorization Act, or otherwise authorized by Congress.

Code D: Same as Code C except that two or more elements of an authorized project, which have been identified by the Corps of Engineers as a separate project(s), are being recommended for deauthorization.

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NEW JERSEY

<u>Project Reference Number</u>	<u>Project Name</u>	<u>Reason for Recommending Project Deauthorization</u>	<u>Deauthori- zation Code</u>
I-73626-N	Cheesequake Creek	The completed portion of the project appears adequate	B
I-73629-N	Newark Bay, Hackensack and Passaic Rivers	The project has no prospect that the required local cooperation will be forthcoming	C
D-73843-N	New Jersey-New York Channel ^{1/}	The project lacks economic justification and it is apparent that restudy would not result in an economically justified plan	B
D-73631-N	Rahway River	The project has no prospect that the required local cooperation will be forthcoming	A
I-73632-N	Raritan River	The project has no prospect that the required local cooperation will be forthcoming	B

^{1/} Project is also included on New York listing.

NEW YORK

<u>Project Reference Number</u>	<u>Project Name</u>	<u>Reason for Recommending Project Deauthorization</u>	<u>Deauthori- zation Code</u>
I-73637-N	Bronx River	The project has no prospect that the required local cooperation will be forthcoming	B
I-73639-N	Coney Island	The project has no prospect that the required local cooperation will be forthcoming	B
D-73613-N	Hudson River NYC to Albany	The project, as authorized is not adequate to meet current needs	B
D-73843-N	New York-New Jersey Channel ^{1/}	The project lacks economic justification and it is apparent that restudy would not result in an economically justified plan	B
I-73643-F	Rome, Mohawk River	The project has no prospect that the required local cooperation will be forthcoming	A
I-73646-F	Waterford	The project has no prospect that the required local cooperation will be forthcoming	A
I-73647-N	Westchester Creek	The project has no prospect that the required local cooperation will be forthcoming	B

^{1/} Project is also included on New Jersey listing.

PENNSYLVANIA

<u>Project Reference Number</u>	<u>Project Name</u>	<u>Reason for Recommending Project Deauthorization</u>	<u>Deauthori- zation Code</u>
D-73953-N	Erie Harbor	The remaining portion of the project is not required	B

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**US Army Corps
of Engineers**
Office of the Chief
of Engineers

Comments on Chief of Engineers' Proposed List of Projects

List transmitted to Governors
of affected States and Federal
Agencies for review and comment
on 21 October 1981

Part 2

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COMMENTS OF THE DEPARTMENT OF AGRICULTURE



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

Lieutenant General Joseph K. Bratton
Chief of Engineers
Office of the Chief of Engineers
Army Corps of Engineers
U.S. Department of the Army
Washington, D.C. 20314

Dear General Bratton:

We have reviewed the list of authorized, but unconstructed, Corps of Engineers' projects which you proposed to recommend for deauthorization by Congress pursuant to Section 12 of the Water Resources Development Act of 1974, Public Law 93-251.

The U.S. Department of Agriculture has made a project-by-project review of the list you propose to recommend for deauthorization to the Congress and has no objection to your proposal.

Sincerely,

John R. Block

COMMENTS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

November 4, 1981

Lieutenant General J. K. Bratton
Chief of Engineers
Department of the Army
(ATTN: DAEN-CWP-A)
Washington, D.C. 20314

Dear General Bratton:

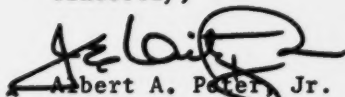
The Secretary has referred Colonel Richard T. Robinson's letter of October 21, 1981, concerning Department of the Army deauthorization of Public Works Projects to this Office for response.

We have reviewed the projects proposed for deauthorization and concluded that the projects do not adversely impact HHS responsibilities for providing services to those cities, towns or communities impacted.

We appreciate the opportunity to review the projects from a perspective of human development services delivery, and physical development needs responsive to HHS' mission.

If you have any further questions concerning this review, please contact Thomas A. Clary of this Office, 202/245-2170.

Sincerely,


Albert A. Peter, Jr.
Director
Office of Facilities Engineering

COMMENTS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
NEW YORK REGIONAL OFFICE
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

REGION II

DEC 9 1981

IN REPLY REFER TO:
2C

Lieutenant General J. K. Bratton
Chief of Engineers
Department of the Army (Attn: DAEM-CWP-A)
Washington, D. C. 20314

Dear General Bratton:

We have reviewed your list of unconstructed projects located in our jurisdiction and offer no objection to your proposed deauthorization. No HUD projects appear to be affected nor is there any pending action that would warrant our reconsideration of your submission.

Thank you for the opportunity for allowing us to provide you with our review comments.

Sincerely,


Joseph D. Monticciolo, FAIA
Regional Administrator

COMMENTS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PHILADELPHIA REGIONAL OFFICE
CURTIS BUILDING, SIXTH AND WALNUT STREETS
PHILADELPHIA, PENNSYLVANIA 19106

REGION III

NOV 9 1981

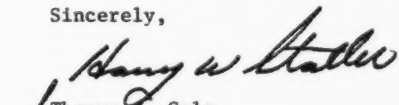
IN REPLY REFER TO:
3CE

Lt. General J.K. Bratton
Chief of Engineers
Department of the Army
Attn.: DAEN-CWP-A
Washington, D.C. 20314

Dear General Bratton:

This is to inform you that this office has no comment to offer regarding the proposed deauthorization of the Erie Harbor project (Project Reference Number D-73953-N).

Sincerely,


Thomas J. Gola
Acting Regional Administrator

COMMENTS OF THE DEPARTMENT OF THE NAVY



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, D.C. 20350

IN REPLY REFER TO:
Ser 44/390235
6 January 1982

Dear General Bratton,

This responds to the October 21st request from your office for the Navy's views on the proposed deauthorization of listed projects which have been authorized by Congress for at least eight years but without appropriation of funds.

The Navy interposes no objection to deauthorization of the projects listed.

A handwritten signature in black ink, appearing to read "J. T. Taylor", with a large, stylized flourish at the end.

Lieutenant General J. K. Bratton
Chief of Engineers
Department of the Army (DAEN-CWP-A)
Washington, D. C. 20314

J. T. TAYLOR
Rear Admiral, U.S. Navy
Director, Shore Activities
Planning and Programming
Division

COMMENTS OF THE DEPARTMENT OF THE INTERIOR



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 23 1984

ER-81/2407

Lieutenant General J. K. Bratton
Chief of Engineers
Corps of Engineers
Department of the Army
Washington, D.C. 20314

Dear General Bratton:

We have no objection to the list of projects proposed by the Chief of Engineers for deauthorization in the States of New York, New Jersey, and Pennsylvania.

The proposals are not in conflict with any existing or proposed Federal project and are not anticipated to have any significant impact on fish, wildlife, or other natural resources.

Sincerely


Bruce Blanchard, Director
Environmental Project Review

COMMENTS OF THE DEPARTMENT OF TRANSPORTATION



U.S. Department of
Transportation

Office of the Secretary
of Transportation

Office of Assistant Secretary

400 Seventh St., S.W.
Washington, D.C. 20590

7

Lieutenant General J.K. Bratton
Chief of Engineers
Department of the Army
DAEN-CWP-A
Washington, D.C. 20314

Dear General Bratton:

This is in response to the letter from Colonel Richard T. Robinson to Secretary Lewis requesting our views on the deauthorization of projects on a proposed list that he enclosed.

The Department of Transportation has reviewed and supports your list of projects being considered for deauthorization. These projects have all been authorized for years without appropriations. We agree that there is no foreseeable local financial support for these projects.

Sincerely,

A handwritten signature in dark ink, appearing to read "Judith T. Connor".

Judith T. Connor
Assistant Secretary for Policy
and International Affairs

COMMENTS OF THE ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278

24 NOV 1981

Lieutenant General J. K. Bratton
Chief of Engineers
Department of the Army
Washington, D.C. 20314

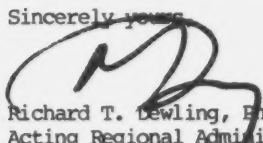
ATTN: DAEN-CWP-A

Dear General Bratton:

This is in response to Colonel Richard T. Robinson's request for comments on unconstructed projects which have been authorized by Congress and for which no funds have been appropriated for the last eight years. The Environmental Protection Agency (EPA) has reviewed the twelve projects in New York and New Jersey for which deauthorization is proposed. We concur that, for reasons of lack of local cooperation and/or economic justification, deauthorization is warranted.

Thank you for coordinating with EPA.

Sincerely yours


Richard T. Dewling, Ph.D.
Acting Regional Administrator

cc: Colonel Richard T. Robinson
Corps of Engineers

**GOVERNOR OF THE AFFECTED STATES
OR
THEIR DESIGNATED REPRESENTATIVES**

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COMMENTS OF THE STATE OF NEW JERSEY



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
CN 402
TRENTON, N. J. 08625
609-292-2885

December 7, 1981

Richard T. Robinson
Colonel, Corps of Engineers
Department of the Army
Office of the Chief of Engineers
Washington, DC 20314

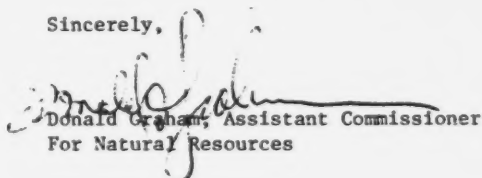
Dear Colonel Robinson:

Your letter of October 21, 1981 concerning the deauthorization of five Congressionally mandated dredging projects located in New Jersey has been referred to me by Commissioner English. The five unconstructed projects include Cheesequake Creek, Newark Bay - Hackensack and Passaic River, New York - New Jersey Channel, Rahway River, and Raritan River.

It should be noted that the New Jersey Department of Environmental Protection has responded to an earlier request for comment from the New York District Corps on the proposed deauthorization of these same projects by letter of June 24, 1981 to Colonel Walter Smith (see copy attached).

Since there has been no change in the need for these dredging projects, the NJDEP has no objections at this time to the proposed deauthorization. In addition we have been in contact with representatives of the business communities affected by the proposed action and they have concurred that no active or proposed development projects would be adversely affected by the deauthorization.

Sincerely,


Donald Graham, Assistant Commissioner
For Natural Resources

Att.



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TRENTON

DIVISION OF
COASTAL RESOURCES

June 24, 1981

PLEASE ADDRESS REPLY TO:
~~PO BOX 1000~~ CN 401
TRENTON, N. J. 08625

Colonel W. M. Smith, Jr.
U. S. Army Corps of Engineers
New York District Engineer
26 Federal Plaza
New York, New York 10278

Dear Colonel Smith:

Your recent letter to Commissioner Jerry Fitzgerald English regarding the de-authorization of seven (7) authorized Army Corps of Engineers' projects has been referred to this office.

Members of my staff have reviewed these authorized projects and the following comments are applicable:

1) Atlantic Coast of New Jersey - Sandy Hook to Barnegat Inlet

This authorized project is currently incorporated into the New Jersey Shore Protection Master Plan. During the next several years, the State of New Jersey plans to implement sections of this authorized project and will request federal reimbursement for this work. De-authorization of this project is not recommended.

2) Cheesapeake Creek

The present constructed portion of this authorized project meets the present needs of local interest. We concur that the unconstructed portion of this project be de-authorized.

3) Newark Bay, Hackensack and Passaic River

Due to the lack of local interest, we concur that the deepening of the Passaic River to a depth of twenty feet (20') be de-authorized.

4) New York and New Jersey Channel

Due to the lack of maritime interest, we concur that the unconstructed Sandy Hook Anchorage can be de-authorized.

5) Perth Amboy

The State of New Jersey in cooperation with the City of Perth Amboy is presently working on reactivating this authorized project. This project is also authorized in the New Jersey Shore Protection Master Plan and should be completed within the next several years. No de-authorization is authorized.

6) Rahway River

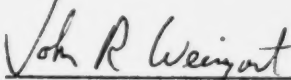
Due to the lack of local cooperation, we concur that this project should be de-authorized.

7) Raritan River

Due to the lack of maritime interest, we concur that the unconstructed portion of this project be de-authorized.

If there are any questions regarding these projects, please contact Bernard J. Moore, Chief of the Bureau of Coastal Engineering, 1453 Hooper Avenue, Toms River, New Jersey 08753; Tel. (201) 341-3986.

Very truly yours,
DIVISION OF COASTAL RESOURCES



John R. Weingart for
David N. Kinsey, Director

DNK/BJM/mz

cc: Mr. Joseph Bridges
New York-New Jersey
Port Authority

COMMENTS OF THE STATE OF NEW YORK



ROBERT F. FLACKE
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233

JAN 12 1982

Dear Colonel Robinson:

As provided in your letter of October 21, 1981, the New York State Department of Environmental Conservation has reviewed the seven unconstructed Corps projects previously authorized by Congress but for which no funds have been appropriated in the last eight years.

Based on appropriate regional review, this Department has no objection to the Corps' deauthorization of all of these projects.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Flacke".

Robert F. Flacke

Richard T. Robinson, Colonel
Corps of Engineers
Executive Director
Engineering Staff
Office of the Chief of Engineers
Washington, DC 20314



ROBERT F. FLACKE
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233

NOV 30 1981

Dear General Bratton:

This will transmit our comments regarding the deauthorization of unconstructed projects located in New York State as requested by Colonel Robinson.

We have previously commented on the appropriateness of the projects in question. The comments are contained in the attached letters to Colonel Smith, District Engineer, New York District, dated June 25, 1981 and July 1, 1981.

Thank you for the opportunity to express our views on this matter.

Sincerely,

Robert F. Flacke

Attachments

Lieutenant General J.K. Bratton
Chief of Engineers
Department of the Army
Washington, D.C. 20314

New York State Department of Environmental Conservation
Two World Trade Center, Rm 6126, New York, N.Y. 10047



Robert F. Flacke
Commissioner

Terry Agriss
Regional Director

August 21, 1981

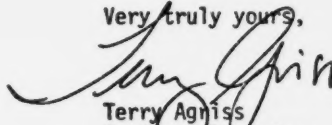
Colonel Walter M. Smith, Jr.
District Engineer
New York District, Corps of Engineers
26 Federal Plaza
New York, N.Y. 10278

Re: Deauthorization of New York Projects

Dear Colonel Smith:

This is to correct an error in my June 25, 1981, letter on the same subject. That letter should have referred to the Westchester Creek, not the Eastchester Creek deauthorization.

Very truly yours,



Terry Agriss
Regional Director
Region 2

TA/gcc/cd



ROBERT F. FLACKE
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233

JUL 1 1981

Dear Colonel Smith:

This letter is in response to your request for our review of the list of unconstructed Corps of Engineers projects which are being considered for deauthorization. I have solicited comments on the various projects from other State agencies and from our Regional Offices.

Following are general comments regarding deauthorization generated by State agency review:

1. We note that the New York State Office of Parks and Recreation and the Department of Transportation have replied directly to you. I will assume that their comments will be considered in your final evaluation.
2. The New York State Department of Commerce has no reason to oppose the Corps decision to deauthorize the projects.

Comments relative to specific projects from various offices and units within the Department of Environmental Conservation are as follows:

1. Waterford, Flood Control - We concur with deauthorization of the flood control project.
2. Rome, Mohawk River, Flood Control - We have written to the City of Rome seeking their concurrence but have not received a reply to date.
3. East Chester Creek (Hutchinson River), Navigation - We are only generally familiar with the waterway in question, the Hutchinson River, but we do know that the river is heavily industrialized within the project. We believe that those industries rely at least in part on surface transportation utilizing the Hutchinson River. Recognizable industries include sand and gravel, concrete and petroleum storage and distribution. Abandonment of this project would ultimately force them to less energy efficient means of transportation (trucks) or perhaps to relocating - neither is environmentally advantageous.

Perhaps this project would have a greater chance for completion if dredged spoils could be dumped at a Long Island Sound disposal site.

4. Hudson River, Navigation - Project #D-T3613-N - Because the project description does not differentiate between maintenance of existing dikes and/or the construction of new dikes, the Department recommends retention of authorization. There are many dikes constructed in 1954 and earlier along the Hudson River from Germantown, New York to Albany, New York. These dikes have eroded and allowed the dredged spoil they contained to erode into the river. This eroded material has blocked the outlet channel of a number of streams tributary to the Hudson River. Stockport Middle Ground, Middle Ground Flats, Rogers Island, Seward Island are all islands created by dredged spoil. The dikes of each of these islands are eroding or have eroded in the past spilling their contents into the shallow waters along the shore of the Hudson River.
5. Hudson River, Navigation - Project #I-73614-N - The Department has no position in regard to deauthorization of this project.
6. Hudson River Navigation - Project #I-73615-N - The project area is just upstream of the end of the 32 foot channel and extends upstream for 1300 feet. Because of boat traffic to this area it is recommended that the dredging in this area be done since it will without a doubt be requested by private concerns as a potential for expansion of the Albany port. Ships with shallower draft (less than 32 feet) are already discharging cargo to lock facilities in this area. The deepening of this section may serve as a collection point for soil and gravel and debris which collects on the bottom of the river near the turning basin. The area near the "Turning Basin" was dredged in 1979 by Corps of Engineers contract.

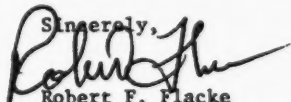
The Department recommends continuing authorization of this project.

7. Bronx River, Navigation
Coney Island Creek, Navigation
New York and New Jersey Channel, Navigation
Westchester Creek, Navigation

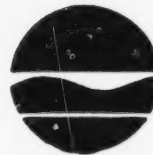
Due to an apparent failure of the mail system the request for comments on the four above named projects were delayed. Response will be forwarded to your office directly from Ms. Terry Agriss, Regional Director, Region 2, Department of Environmental Conservation, 2 World Trade Center, New York.

I trust that the foregoing response will be incorporated into your recommendations to the Chief of Engineers.

Colonel W. M. Smith, Jr.
District Engineer
New York District, Corps of Engineers
26 Federal Plaza
New York, New York 10278

Sincerely,

Robert F. Flacke

New York State Department of Environmental Conservation
Two World Trade Center, Rm 6126, New York, N.Y. 10047



Robert F. Flacke
Commissioner

Terry Agriss
Regional Director

June 25, 1981

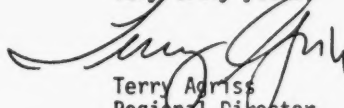
Colonel Walter M. Smith, Jr.
District Engineer
New York District, Corps of Engineers
26 Federal Plaza
New York, New York 10278

Re: Deauthorization of New York Projects

Dear Colonel Smith:

Commissioner Flacke has asked me to reply to your letter of May 26, 1981, regarding deauthorization of certain projects. This response will address those projects in New York City only, including Bronx River, Coney Island Creek, Eastchester Creek and N.Y. & N.J. Channel (Deepen Sandy Hook). The Department of Environmental Conservation has no objection or comment regarding the deauthorization of these projects. Please contact me if you require further information.

Very truly yours,



Terry Agriss
Regional Director
Region 2

TA/gcc/cd

COMMENTS OF THE COMMONWEALTH OF PENNSYLVANIA



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

P. O. Box 1467
Harrisburg, Pennsylvania 17120

October 30, 1981



The Secretary
(717) 787-2869

In reply refer to
RM
9-G.2
9-G.4

Lt. Gen. J. K. Bratton
Chief of Engineers
Department of the Army
ATTN: HQDA (DAEN-CWP-A)
Washington, D. C. 20314

Dear General Bratton:

Reference is made to the letter of October 21, 1981, from Colonel Richard T. Robinson, requesting our views on a project in Pennsylvania which is listed for deauthorization as a result of the Corps' seventh annual review, pursuant to Section 12, Public Law 93-251.

We note that both the City of Erie and Erie-Western Pennsylvania Port Authority object to deauthorization since they continue to feel that the work proposed would provide a safer harbor entrance. Consequently, we have decided to take a neutral position to assure that the final determination in this matter is made by those most directly affected.

Your courtesy in allowing us to comment on this matter is very much appreciated.

Sincerely,

PETER S. DUNCAN
Acting Secretary



**US Army Corps
of Engineers**

Office of the Chief
of Engineers

Project Information Sheets

Part 3

34

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Division: North Atlantic
District: New York

I-73637-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. BRONX RIVER, NEW YORK

AUTHORIZATION. 1913 River and Harbor Act (HD 897/62/2)

LOCATION. Bronx River, Bronx Co. starting at the mouth of the river between Hunts Point and Clason Point and extending north 2.6 miles to the dam at E 177th Street, New York City.

DESCRIPTION. The remaining 18% of the work to be done consists of widening to project width in the reach between Westchester Avenue and East 172nd Street. The channel between East 172nd Street and the upper limit of the authorized project is being filled in by the City of New York under Department of the Army permit and is no longer a waterway.

SUMMARIZED FINANCIAL DATA:(for inactive portion)

Estimated Project Costs (1953 Price Levels)

Federal	\$299,000
Non-Federal	0
Total	\$299,000

Funds Allotted to Date _____

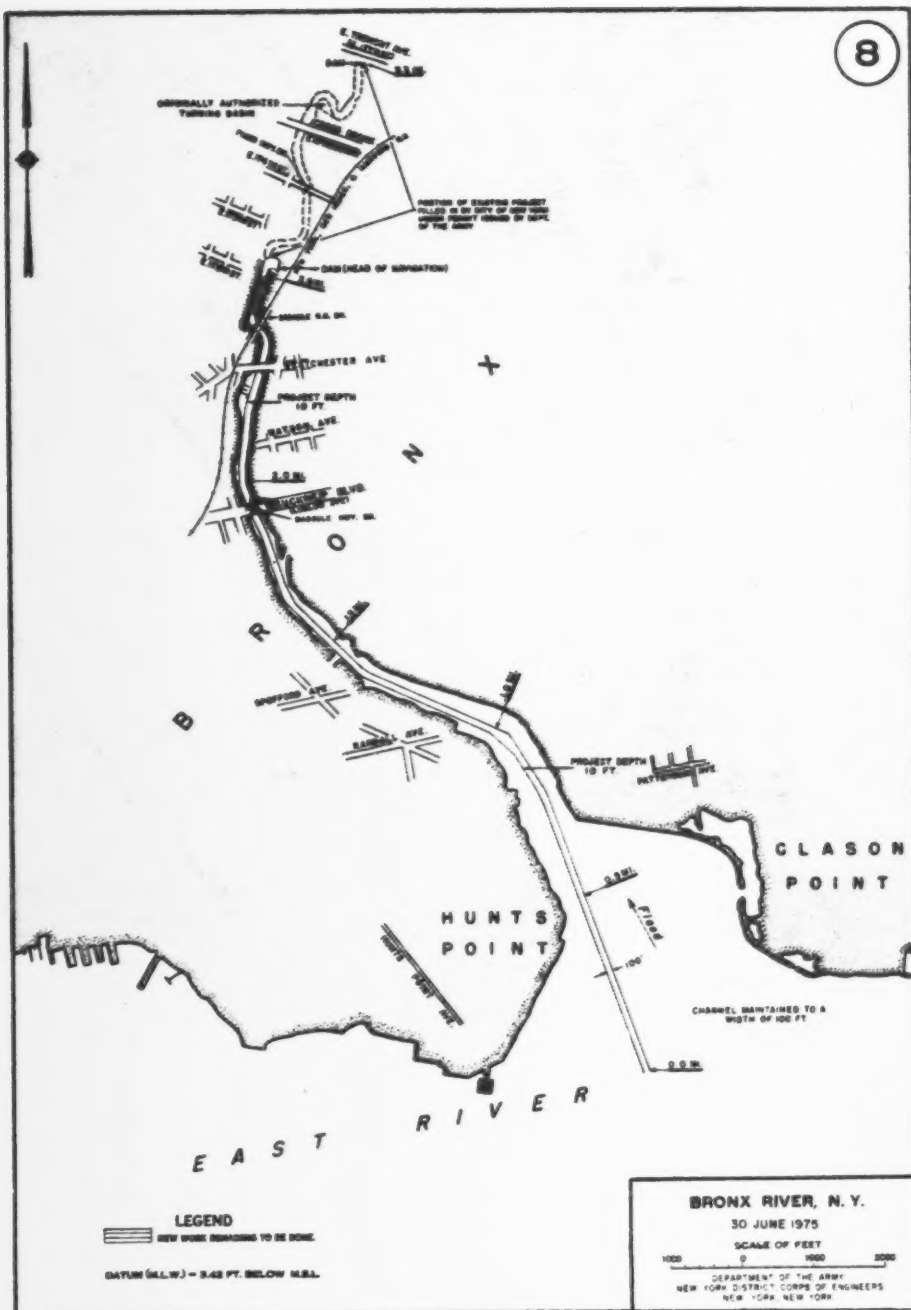
Last Year Funds Allotted _____

REASONS FOR CLASSIFICATION OF INACTIVE: Local cooperation has been refused for work remaining below East 172nd Street. Inactive since 1954.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New York State Department of Environmental Conservation (NYSDEC) and Department of Transportation (NYSDOT). By letter dated 25 June 1981, NYSDEC agreed to deauthorization. The NYSDOT, in their letter dated 18 June 1981, stated that the project was not requested by their department and offered no comment.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division: North Atlantic
District: New York

I-73626-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. CHEESEQUAKE CREEK, NEW JERSEY

AUTHORIZATION. 1880 River and Harbor Act (SD 69/46/2)

LOCATION. A small tidal stream 6 to 7 miles long, rising in the eastern part of New Jersey near Old Bridge and flowing in a northeasterly direction into Raritan Bay about 2 miles southeast of South Amboy.

DESCRIPTION. The work remaining to be done consists of dredging a 4 foot channel 50 to 100 feet wide between the railroad bridge and the head of navigation, including the construction of 2 dikes and dredging in Stump Creek.

SUMMARIZED FINANCIAL DATA: (for inactive portion)

Estimated Project Costs (1954 Price Levels)

Federal	\$333,000
Non-Federal	—
Total	<u>\$333,000</u>

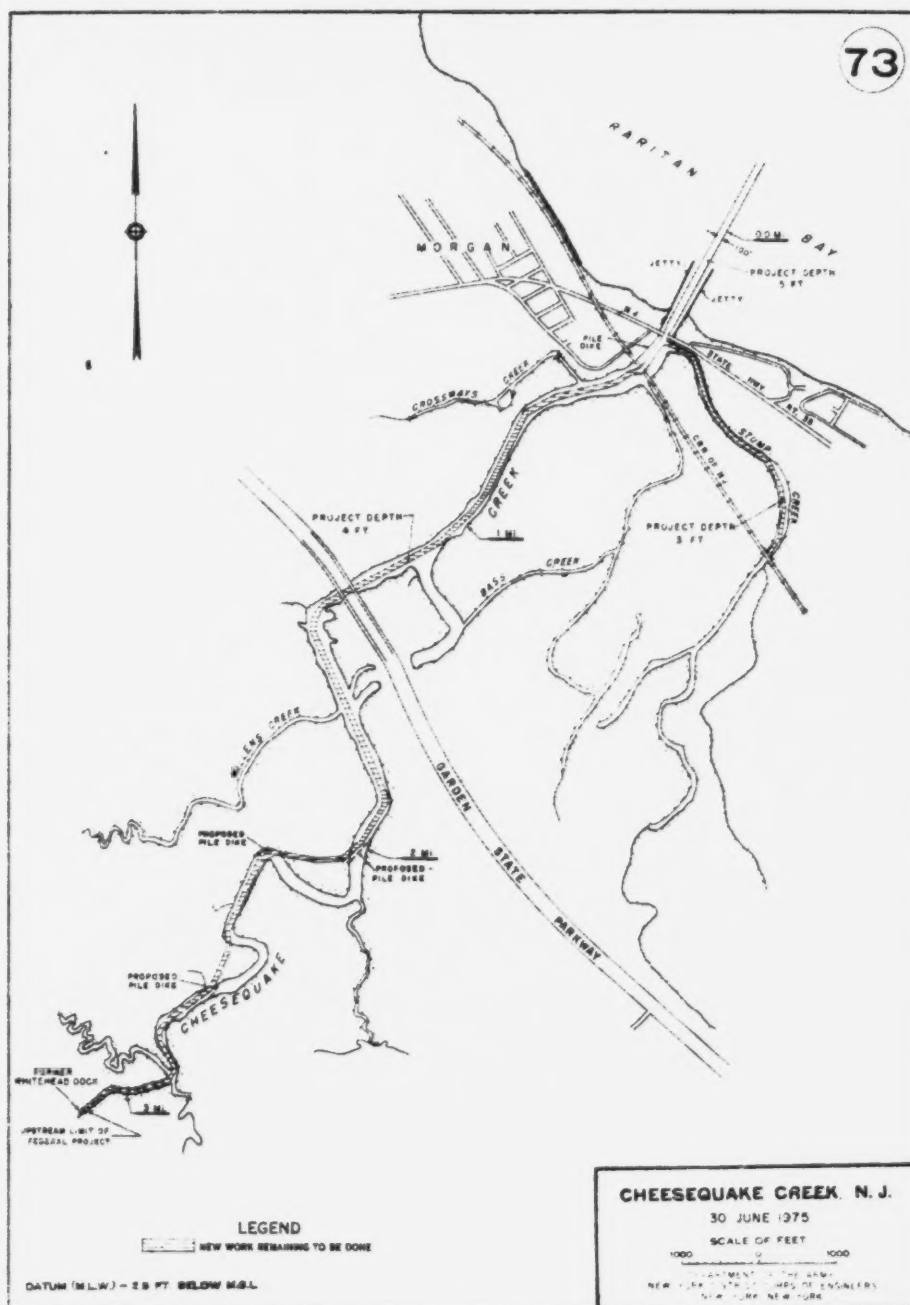
Funds Allotted to Date	—
Last Year Funds Allotted	—

REASONS FOR CLASSIFICATION OF INACTIVE: Uplands and bulkheading unobtainable. Improvement appears to meet present needs. Inactive since 1954.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New Jersey State Department of Transportation (NJDOT) and Department of Environmental Protection (NJDEP). By letter dated 24 June 1981, NJDEP agreed to deauthorization. The NJDOT stated in their 4 June 1981 letter that deauthorization would have no effect and offered no comment.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division. North Atlantic
District. New York

I-73639-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. CONEY ISLAND CREEK, NEW YORK

AUTHORIZATION: 1935 River and Harbor Act (HD 12/73/1)

LOCATION: Coney Island Creek, Kings County extends from Gravesend Bay 2.0 miles east to Shell Road.

DESCRIPTION: The work remaining to be done consists of completing the deepening of the project channel to 12 feet.

SUMMARIZED FINANCIAL DATA (for inactive portion)

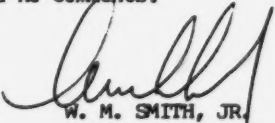
Estimated Project Costs (1938 Price Levels)

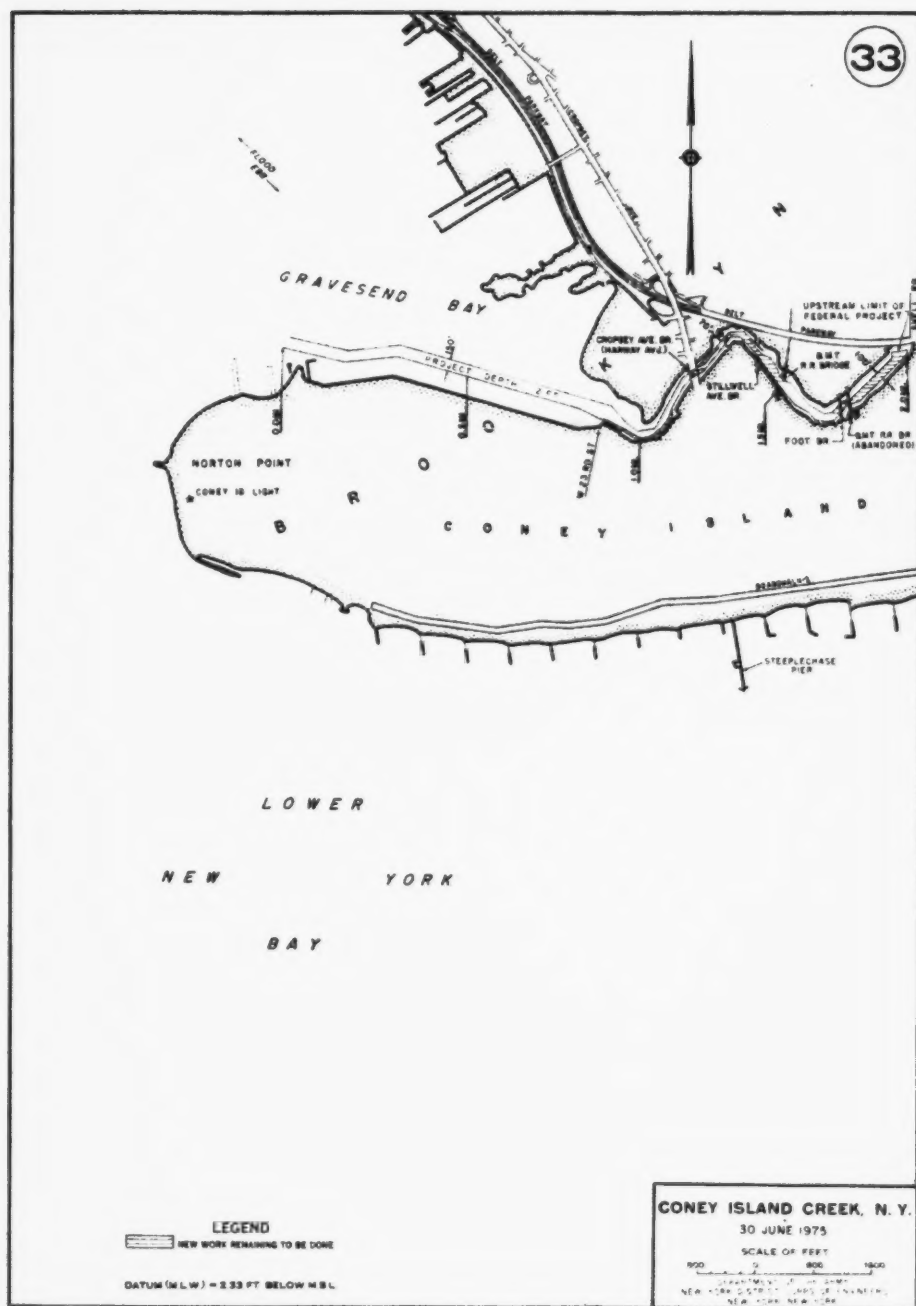
Federal	\$196,000
Non-Federal	—
Total	\$196,000
Funds Allotted to Date	—
Last Year Funds Allotted	—

REASONS FOR CLASSIFICATION OF INACTIVE: Dilapidated condition of bulkheads does not permit completion of the project dimensions. Inactive since 1953.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to the New York State Department of Environmental Conservation (NYSDEC) and Department of Transportation (NYSDOT). By letter dated 25 June 1981, NYSDEC agreed to deauthorization. The NYSDOT, in their letter dated 18 June 1981, stated that the project was not requested by their department and offered no comments.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division: North Central
District: Buffalo

D-73953-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. ERIE HARBOR, PA

AUTHORIZATION. 1960 R & H Act (H.D. 199, 86th Cong., 1st Sess.)

LOCATION. South side of bay formed by Presque Isle Peninsula, on south shore of Lake Erie, 78 miles westerly of Buffalo, NY.

DESCRIPTION. The uncompleted portion of project, consisting of deepening strips adjacent to north and south piers.

SUMMARIZED FINANCIAL DATA. Estimated Project Costs - (July 1962 price levels)

Federal	\$78,000
Non-Federal	<u>51,000</u>
Total	\$129,000

Funds Allotted to Date: N/A
Last Year Funds Allotted: N/A

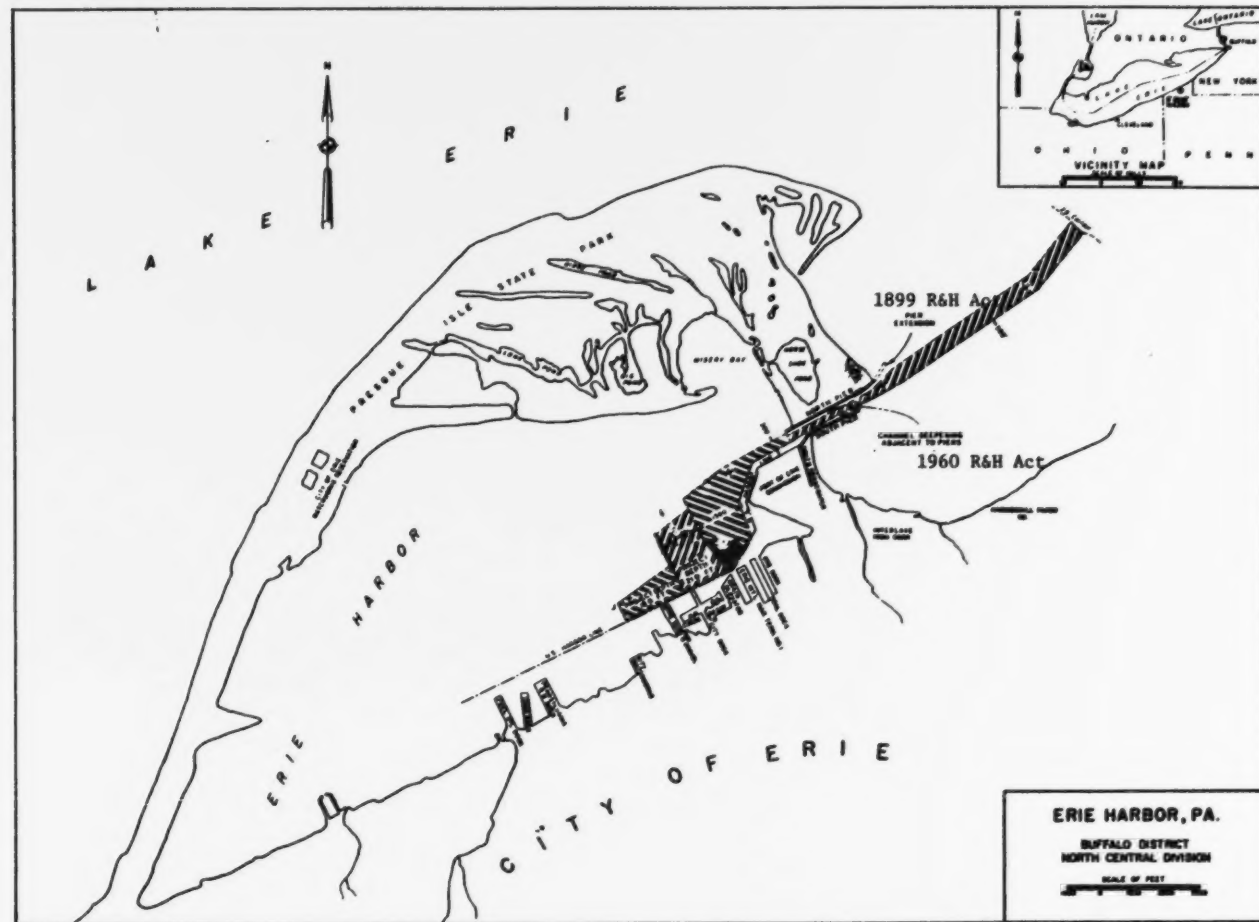
REASONS FOR CLASSIFICATION OF DEFERRED: Condition and stability of existing pier had to be determined before dredging could be permitted. Reclassified in May 1962.

RESULTS OF DEAUTHORIZATION REVIEW. Commonwealth of Pennsylvania Fish Commission and the Department of Environmental Resources expressed no objection to deauthorization. The U.S. Coast Guard stated their operations would not be adversely affected by deauthorization. The City of Erie and the Erie-Western Pennsylvania Port Authority (formerly until 1974, Erie Port Commission) objected to deauthorization stating that hopefully the Corps would continue to repair the piers. Neither offered any intent of local cooperation. In addition, each associated the subject work with the Corps continuing efforts in Erie, although each is independent of the other.

It is recommended that the uncompleted portion of the 1960 R & H Act at Erie Harbor be deauthorized.

1 Incl
Project Map


GEORGE P. JOHNSON
Colonel, Corps of Engineers
District Engineer



Division. North Atlantic.
District. New York

D-73613-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. HUDSON RIVER N.Y.C. TO ALBANY
(CONSTRUCT DIKES), NEW YORK

AUTHORIZATION. 1910 River and Harbor Act (HD/719/61/2)

LOCATION. The Hudson River has its source in the Adirondack Mountains, about 250 miles in a direct line about 315 miles along its course from the Battery, New York City and flows in a generally southerly direction into New York Bay. The section under improvement, from N.Y.C. to Waterford, extends a distance of about 156 miles.

DESCRIPTION. This project provides, in part, for construction of 69,000 linear feet of dikes and training walls. 23,800 feet of dikes were not constructed, including Van Wies Dike to Staats Point, Bear Island, East Side Vicinity of Former Dike Willow Island, Schermerhorn Island, Stockport Middle Ground (Sections I and II), Stonehouse Bar and Cocksackie Island Dikes.

SUMMARIZED FINANCIAL DATA. (for the deferred portion)

Estimated Project Costs (1957 Price Levels)

Federal	\$642,000
Non-Federal	—
Total	\$642,000

Funds Allotted to Date

—

Last Year Funds Allotted

—

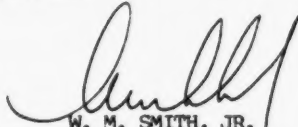
REASONS FOR CLASSIFICATION OF DEFERRED: The 32-foot channel from New York to Albany authorized in 1954 will probably result in an increased rate of shoaling and the areas where dike construction will be most effective will then be evident. Deferred since 1956.

RESULTS OF DEAUTHORIZATION REVIEW.

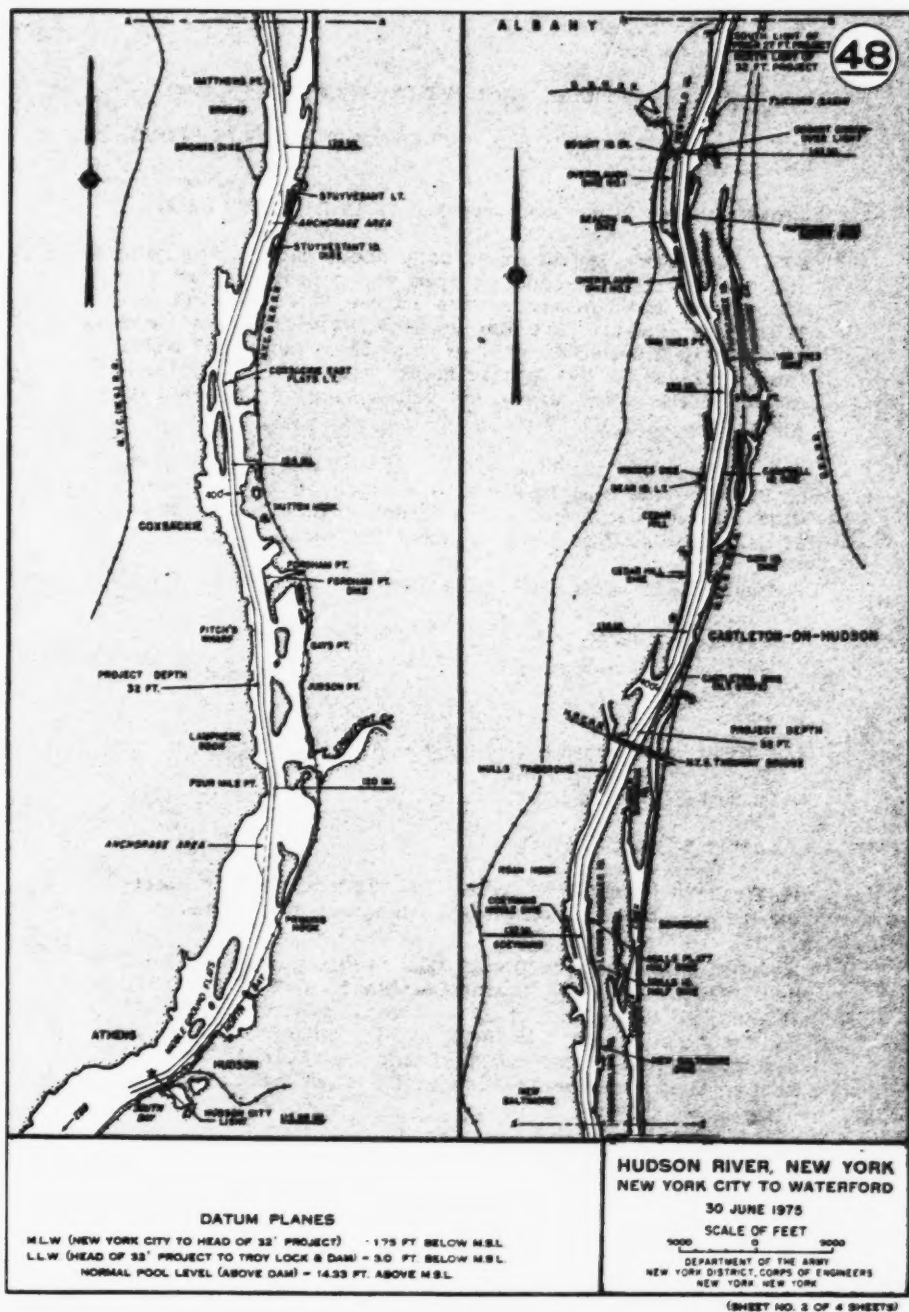
a. Inquiry was made on 26 May 1981 to New York State Department of Environmental Conservation (NYSDEC) and Department of Transportation (NYSDOT). By letter dated 18 June 1981, the NYSDOT offered no comment. The NYSDEC, in their letter dated 1 July 1981 recommended the project not be deauthorized because the Project Information Sheet did not differentiate between maintenance of existing dikes and construction of new dikes.

b. The NYSDEC objection to deauthorization concerned Federal responsibility for maintenance of the existing dikes. Since this deauthorization action only applies to the uncompleted portion of the project, Federal responsibility for maintenance of the existing dikes would remain in effect, thus negating the NYSDEC concern in deauthorizing the project.

1 Incl
1. Project Map



W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division: North Atlantic
District New York

1-130474

PROJECT INFORMATION SHEET

NAME OF PROJECT. NEWARK BAY, HACKENSACK AND PASSAIC RIVERS,
NEW JERSEY

AUTHORIZATION. River and Harbor Act of 1912 (HD 707/62/2)

LOCATION. Newark Bay is an estuary about 1.25 miles wide and 6 miles long extending from the confluence of the Hackensack and Passaic Rivers in the New York and New Jersey Channel. The Hackensack River rises near Haverstraw, Rockland County, NY, and flows about 45 miles into Newark Bay. The Passaic River rises in the highlands of northeastern New Jersey and flows about 80 miles into Newark Bay.

DESCRIPTION. The inactive portion of the project consists of dredging the Passaic River to a depth of 20 feet and a width of 300 feet from Jackson Street Bridge to the Nairn Linoleum Works, a distance of about 2.4 miles.

SUMMARIZED FINANCIAL DATA. (for inactive portion)

Estimated Project Cost (1954 Price Levels)

Federal	\$1,182,000
Non-Federal	—
Total	<u>\$1,182,000</u>

Funds Allotted to Date

—

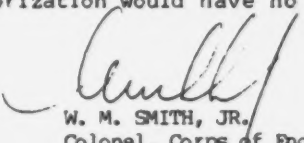
Last Year Funds Allotted

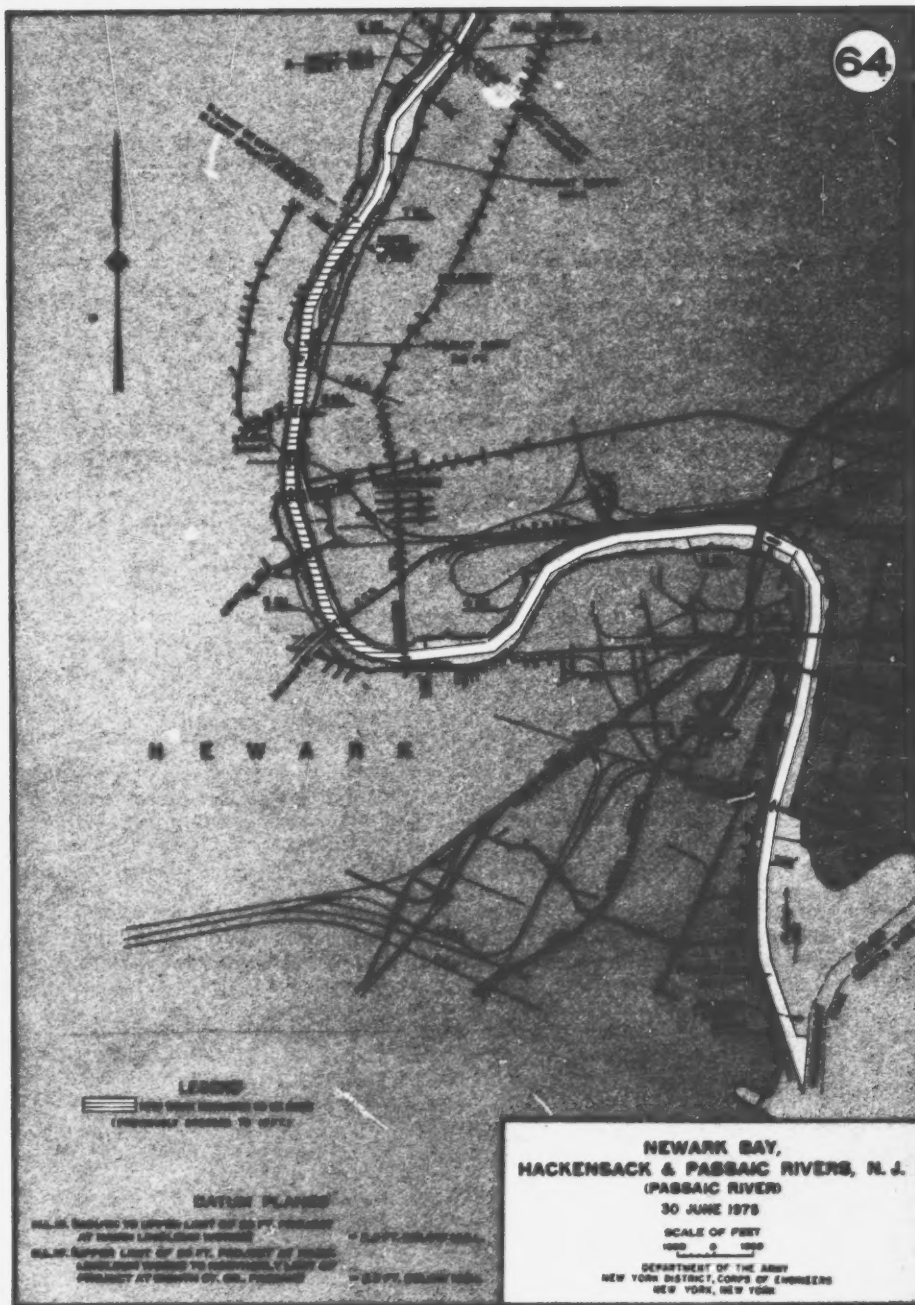
—

REASONS FOR CLASSIFICATION AS INACTIVE: Adjacent property owners are opposed to the work. Inactive since 1961.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New Jersey State Department of Transportation (NJDOT) and Department of Environmental Protection (NJDEP). By letter dated 24 June 1981, NJDEP agreed to deauthorization. The NJDOT stated in their 4 June 1981 letter that deauthorization would have no effect and offered no comment.

- 1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division: North Atlantic
District: New York

D-73843-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. NEW YORK AND NEW JERSEY CHANNEL (DEEPEN
SANDY HOOK), NEW YORK AND NEW JERSEY

AUTHORIZATION. 1935 River and Harbor Act (HD153/74/1)

LOCATION. This channel extend from deep water northwest of Sandy Hook, through lower New York Bay and Raritan Bay, to Perth Amboy, and thence through Arthur Kill, lower Newark Bay, and Kill Van Kull to deep water in upper New York Bay. This route is located approximately along the boundary line between the states of New York and New Jersey.

DESCRIPTION. The remaining work to be done consists of dredging the anchorage in the vicinity of Sandy Hook Bay.

SUMMARIZED FINANCIAL DATA (for the deferred portion)

Estimated Project Costs (1957 Price Levels)

Federal	\$2,150,000
Non-Federal	—
Total	\$2,150,000

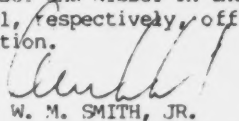
Funds Allotted to Date

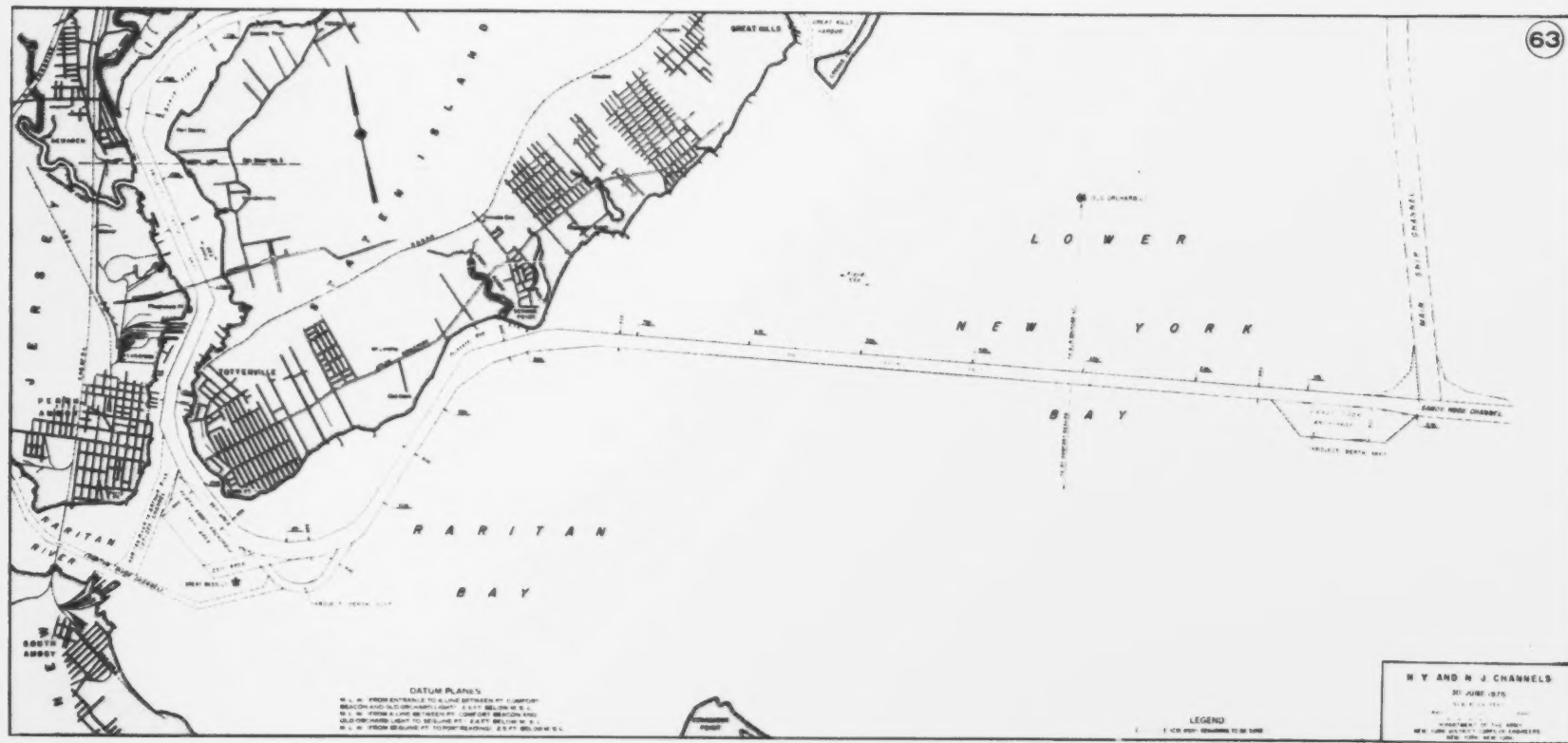
Last Year Funds Allotted

REASONS FOR CLASSIFICATION OF DEFERRED: The presently authorized Sandy Hook anchorage has been deferred for restudy and a review to establish justification before it can be reactivated and construction funds requested. Date of classification unknown.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New York State Department of Environmental Conservation (NYSDEC) and Department of Transportation (NYSDOT) and New Jersey Department of Environmental Protection (NJDEP) and Department of Transportation (NJDOT). NJDEP and NYSDEC, by letters dated 24 June 1981 and 1 July 1981, respectively, agreed to deauthorization. The NJDOT and NYSDOT in their letters dated 4 June 1981 and 18 June 1981, respectively, offered no comment on the proposed deauthorization.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



PROJECT INFORMATION SHEET

NAME OF PROJECT. RAHWAY RIVER, NEW JERSEY

AUTHORIZATION. 1935 River and Harbor Act (HD 63/73/1)

LOCATION. The Rahway River is about 25 miles long. It rises near Pleasantdale, N.J. and flows in a southerly and easterly direction to join the Arthur Kill at Carteret, N.J. about 15 miles, by water, southwest of the Battery, New York City.

DESCRIPTION. The project provides for a channel, 8 ft. deep and generally 100 ft. wide, from the mouth of the river to a point just above Lambert's wharf with widening at the entrance and at bends. Also a turning basin, 8 ft. deep, at the head of the improvement, length about 2.5 miles.

SUMMARIZED FINANCIAL DATA.

Estimated Project Costs (1954 Price Levels)

Federal	\$200,000
Non-Federal	_____
Total	<u>\$200,000</u>

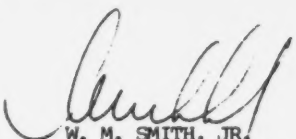
Funds Allotted to Date _____

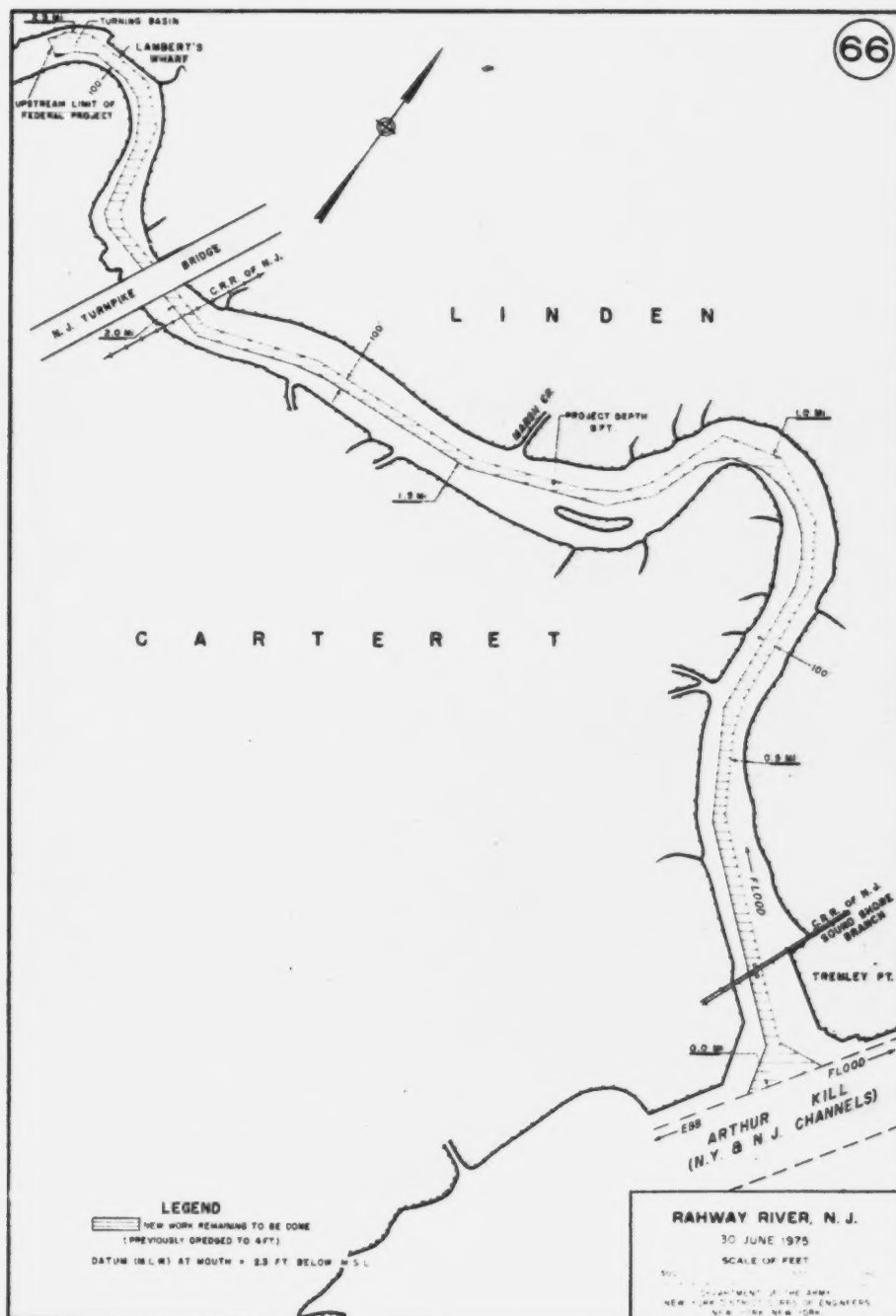
Last Year Funds Allotted _____

REASONS FOR CLASSIFICATION OF DEFERRED: Lack of local interest. Deferred since 1950.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New Jersey State Department of Transportation (NJDOT) and Department of Environmental Protection (NJDEP). By letter dated 24 June 1981, NJDEP agreed to deauthorization. The NJDOT stated in their 4 June 1981 letter that deauthorization would have no effect and offered no comment.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division: North Atlantic
District: New York

I-73632-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. RARITAN RIVER, NEW JERSEY

AUTHORIZATION. River and Harbor Act of 1919 (HD 1341/62/3)

LOCATION. The Raritan River rises in north-central New Jersey and flows generally southeasterly into Raritan Bay, between Perth Amboy and South Amboy, about 24 miles by water south of the Battery, New York City.

DESCRIPTION. The inactive portion of the project consists of dredging the South Channel to 10 feet deep and 150 feet wide for 1,300 feet to the upper junction with the Main Channel at Crab Island.

SUMMARIZED FINANCIAL DATA (for the inactive portion)

Estimated Project Costs (1954 Price Levels)

Federal	\$86,000
Non-Federal	—
Total	<u>\$86,000</u>

Funds Allotted to Date —

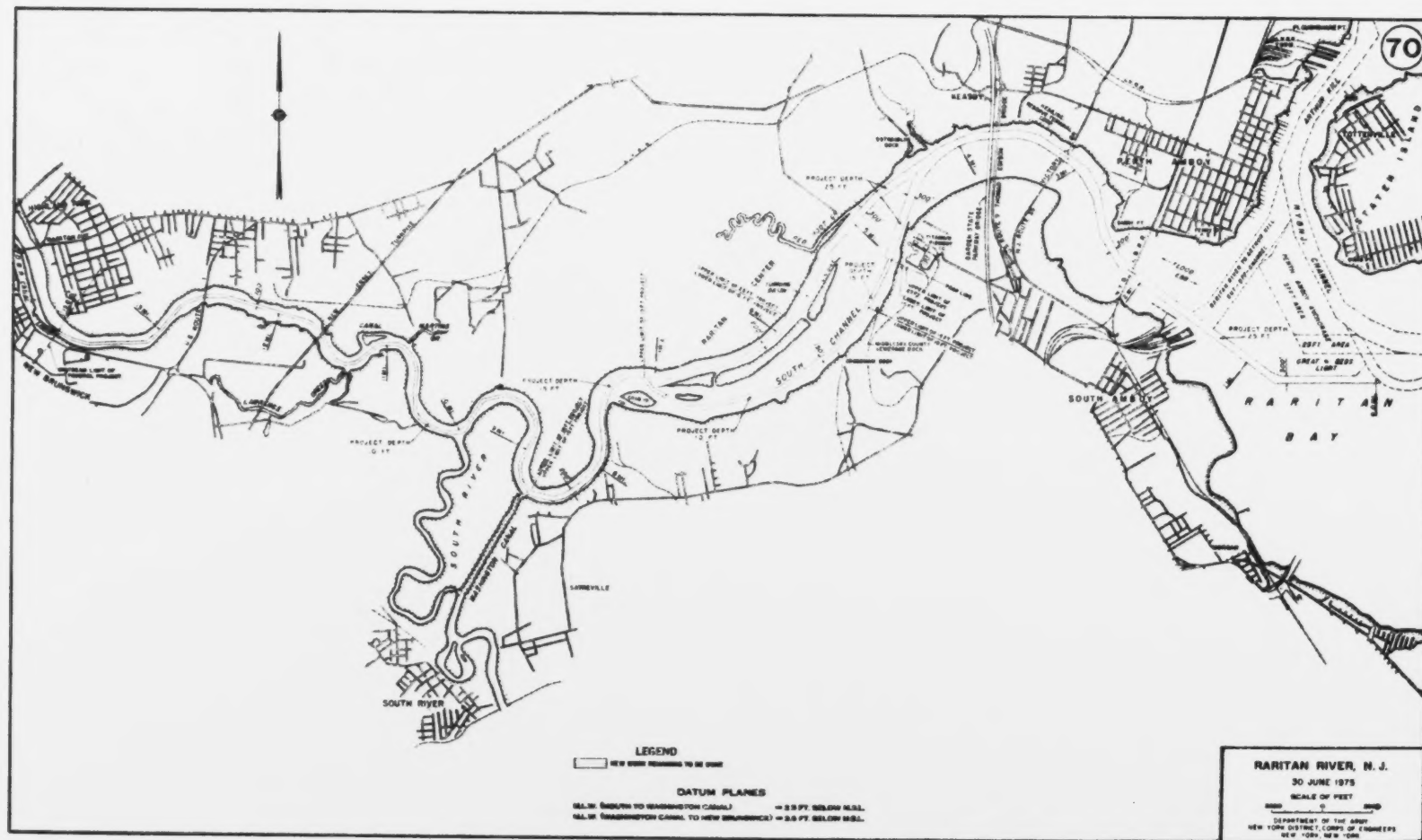
Last Year Funds Allotted —

REASONS FOR CLASSIFICATION AS INACTIVE: Lack of local interest. Date of classification unknown.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New Jersey State Department of Transportation (NJDOT) and Department of Environmental Protection (NJDEP). By letter dated 24 June 1981 NJDEP agreed to deauthorization. The NJDOT stated in their 4 June 1981 letter that deauthorization would have no affect and offered no comment.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



PROJECT INFORMATION SHEET

NAME OF PROJECT. ROME, MOHAWK RIVER, NEW YORK

AUTHORIZATION. 1958 Flood Control Act (HD 172/85/1)

LOCATION. The Mohawk River rises in west - central New York and flows generally southeasterly to the Hudson River at Waterford and Cahoes, N.Y. The city of Rome, N.Y. is situated on the Mohawk River 121 miles above its mouth, at the point at which the State Barge Canal leaves the river to continue westward through a landcut.

DESCRIPTION. The project provides for construction of earth levees totaling approximately 1,500 feet in length, over 200 feet of floodwall, approximately 1,000 feet of drainage channel, and about 450 feet of channel excavation, together with interior drainage structures and appurtenant works; also the existing concrete arch bridge on Dominick Street would be replaced by a steel girder structure, to increase the channel cross section and to provide additional clearance above the river.

SUMMARIZED FINANCIAL DATA.

Estimated Project Costs (1959 Price Levels)

Federal	\$380,000
Non-Federal	\$417,000
Total	\$797,000

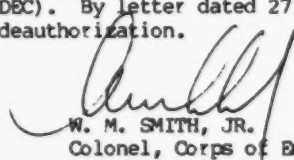
Funds Allotted to Date

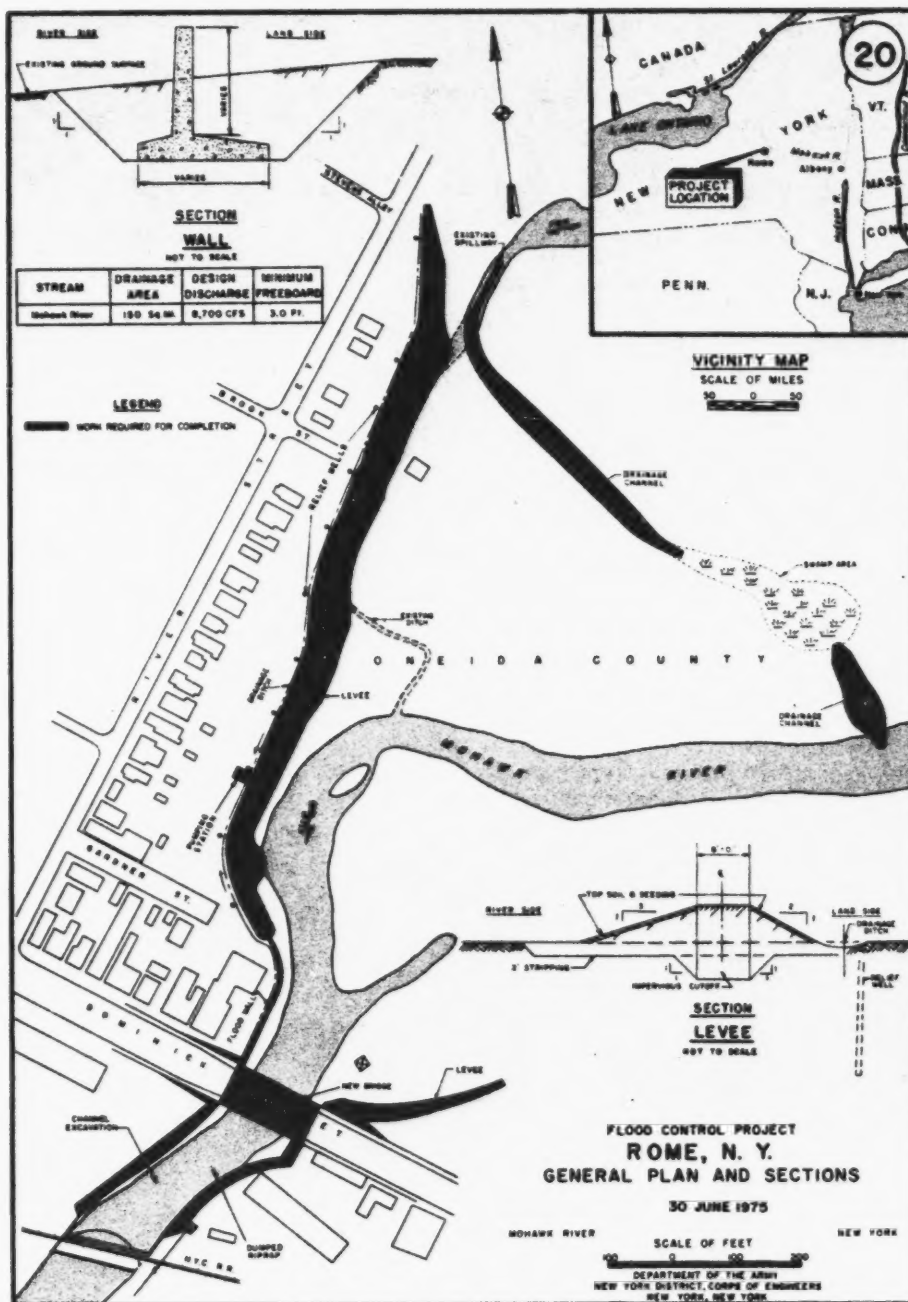
Last Year Funds Allotted

REASONS FOR CLASSIFICATION OF INACTIVE : Lack of local cooperation. Inactive since 1973.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New York State Department of Environmental Conservation (NYSDEC). By letter dated 27 June 1981, NYSDEC agreed to deauthorization.

1 Incl
1. Project Map


W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



Division: North Atlantic
District: New York

I-73646-F

PROJECT INFORMATION SHEET

NAME OF PROJECT. WATERFORD, NEW YORK

AUTHORIZATION. 1938 Flood Control Act (HD620/75/3)

LOCATION. Waterford, N.Y. is situated on the west bank of the Hudson River at its junction with the Mohawk River, about 10 miles north of Albany, N.Y.

DESCRIPTION. The project provides for earth levees and concrete flood walls along the Barge Canal, the right bank of the Hudson River and the left bank of the Fourth Branch of the Mohawk River.

SUMMARIZED FINANCIAL DATA.

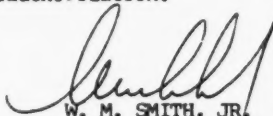
Estimated Project Costs(1954 Price Levels)

Federal	\$1,720,000
Non-Federal	—
Total	\$1,720,000
Funds Allotted to Date	—
Last Year Funds Allotted	—

REASON FOR CLASSIFICATION OF INACTIVE: Lack of local interest. Inactive since 1964.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New York State Department of Environmental Conservation (NYSDEC). By letter dated 1 July 1981, NYSDEC agreed to deauthorization.

1 Incl
1. Project Map



W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer

Division: North Atlantic
District: New York

I-73647-N

PROJECT INFORMATION SHEET

NAME OF PROJECT. WESTCHESTER CREEK, NEW YORK

AUTHORIZATION. 1954 River and Harbor Act (HD 92/82/1)

LOCATION. A tidal stream flowing in East River from north at a point 14 miles by water northeast of the Battery, New York City.

DESCRIPTION. The work remaining to be done consists of dredging the 12 foot turning basin 500 feet downstream from head of project.

SUMMARIZED FINANCIAL DATA. (for inactive portion)

Estimated Project Costs (1965 Price Levels)

Federal	\$38,000
Non-Federal	—
Total	\$38,000

Funds Allotted to Date

—

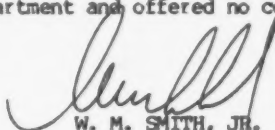
Last Year Funds Allotted

—

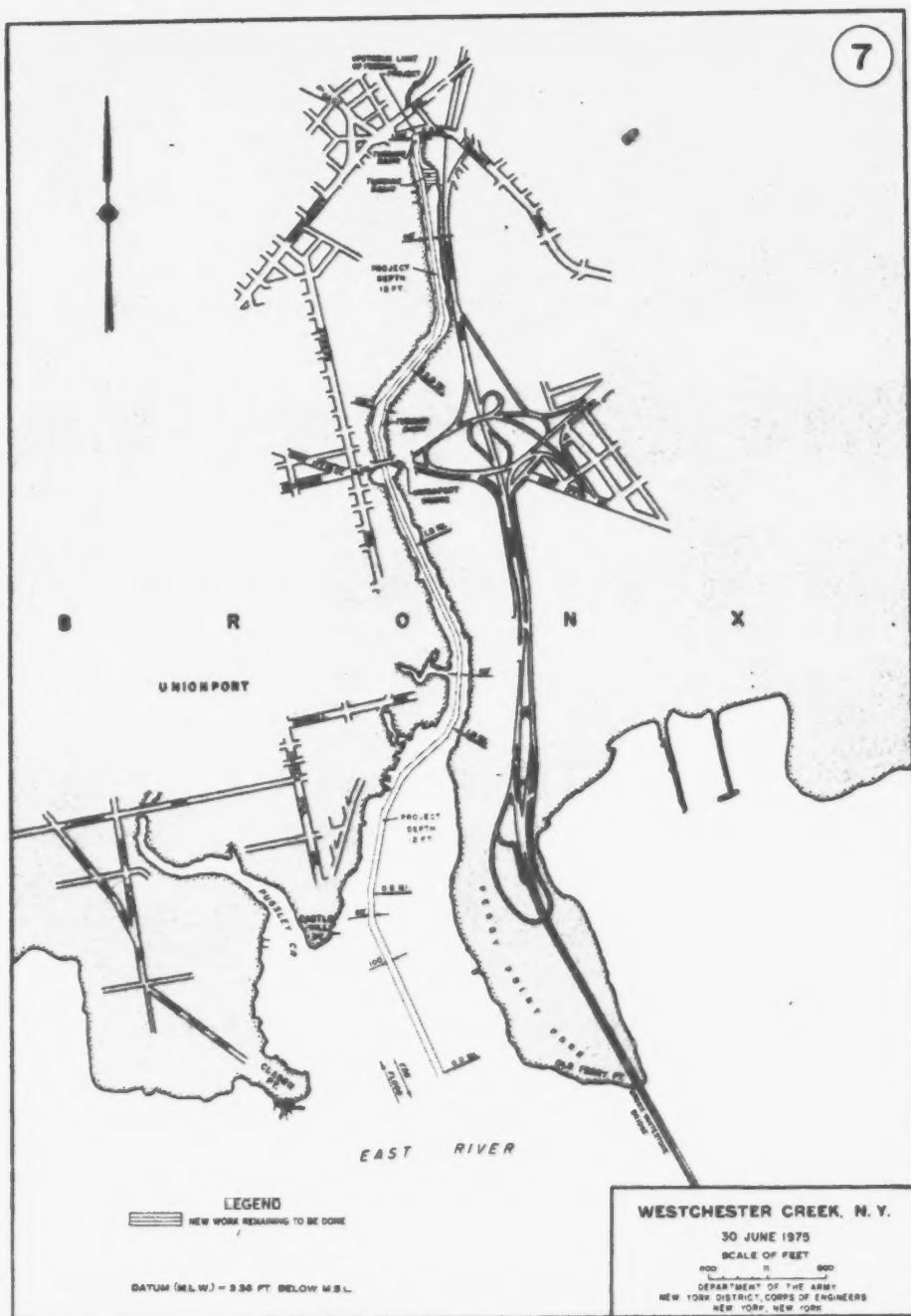
REASON FOR CLASSIFICATION OF INACTIVE: Lack of local cooperation.
Inactive since 1957.

RESULTS OF DEAUTHORIZATION REVIEW. Inquiry was made on 26 May 1981 to New York State Department of Environmental Conservation (NYSDEC) and Department of Transportation (NYSDOT). By letter dated 25 June 1981, NYSDEC agreed to deauthorization. The NYSDOT, in their letter dated 18 June 1981, stated that the project was not requested by their department and offered no comment.

1 Incl
1. Project Map



W. M. SMITH, JR.
Colonel, Corps of Engineers
Commander and District Engineer



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1/ Project is located in New Jersey and New York

